

1 Daniel D. Harshman (SBN# 177139)  
COZEN O'CONNOR  
2 425 California Street, Suite 2400  
San Francisco, CA 94104  
3 Telephone: (415) 617-6100  
Facsimile: (415) 617-6101  
4 E-mail: dharshman@cozen.com

5 Attorneys for Plaintiff  
PSI CORPORATION  
6  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 PSI CORPORATION (f/k/a/ FRIENDLYWAY  
CORPORATION, f/k/a BIOFARM, INC.),

12 Plaintiff,

13 vs.

14 ALEXANDER VON WELCZECK,  
HENRY LO, MICHAEL DRAPER,  
15 and FRIENDLYWAY AG,

16 Defendants.

17 FRIENDLYWAY, INC., KARL  
JOHANN SMEIER, PACIFIC CAPSOURCE,  
18 INC., and DERMA PLUS, INC.,

19 Nominal Defendants.  
20

Case No. C 07-02869 SBA

ACCEPTANCE AND WAIVER OF  
SERVICE OF SUMMONS AND  
COMPLAINT BY DEFENDANT  
FRIENDLYWAY AG

21 The undersigned, counsel for a named Defendant in this action, friendlyway Ag, is  
22 authorized to waive service of process and does hereby accept service of the summons and  
23 complaint in the case of *PSI Corporation v. von Welczeck, et al*, Case No. C 07-02869 SBA,  
24 effective the 10<sup>th</sup> day of July, 2007.

25 ///

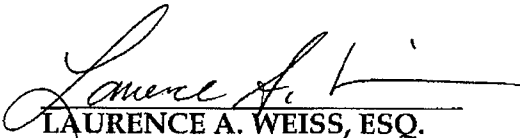
26 ///

27 ///

28 ///

1 I (or the entity on whose behalf I am acting) will retain all defenses or objections to  
2 the lawsuit or to the jurisdiction or venue of the court except for objections based on a  
3 defect in the summons or in the service of the summons.

4  
5 Dated: July 11, 2007

  
6 LAURENCE A. WEISS, ESQ.  
7 Heller Ehrman, LLP  
8 Attorneys for Defendant,  
9 friendlyway AG  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

I, the undersigned, declare: I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the County of San Francisco, California, in which county the within mentioned service occurred. My business address is Cozen O'Connor, 425 California Street, Suite 2400, California, CA 94104.

On the date set forth below, I served the foregoing document(s) on the parties, through their attorneys of record, addressed as set forth below:

**ACCEPTANCE AND WAIVER OF SERVICE OF SUMMONS AND COMPLAINT BY DEFENDANT FRIENDLYWAY AG**

**[XX] (By First Class Mail)** I caused each such envelope, with first-class postage thereon fully prepaid, to be deposited in the United States mail at San Francisco, California.

**[ ] (By Facsimile)** I caused each individual on the attached list to be served via facsimile to the numbers indicated on the attached Service List.

**[ ] (By Personal Service)** I caused each such envelope, with courier charges prepaid, if applicable, to be personally delivered by messenger and/or in-house messenger to the offices of each addressee.

**[ ] (By Federal Express/UPS)** I caused each such envelope, with shipping charges fully prepaid, to be delivered to a Federal Express/UPS pick up box at San Francisco, California for next business day delivery.

**SEE ATTACHED SERVICE LIST**

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America and of the State of California that the foregoing is true and correct.

Executed July 12, 2007, at San Francisco, California.

By: 

Maria J. Uhl

**SERVICE LIST**

Lawrence A. Weiss, Esq. Attorneys for Defendant  
Ryan D. Marsh, Esq. friendlyway AG  
Holly B. Baudler  
Heller Ehrman LLP Service via E-Filing Program  
275 Middlefield Road  
Menlo Park, California 94025-3506  
Telephone: 650/324-7000  
Facsimile: 650/324-0638  
Email: [Weiss@hellerehrman.com](mailto:Weiss@hellerehrman.com)  
[Ryan.Marsh@hellerehrman.com](mailto:Ryan.Marsh@hellerehrman.com)  
[Holly.Baudler@hellerehrman.com](mailto:Holly.Baudler@hellerehrman.com)

Harry G. Lewis, Esq. Attorneys for Defendants  
Brian V. Donnelly, Esq. Alexander von Welczeck and  
Cornestone Law Corp. Henry Lo  
595 Market Street, Suite 2360  
San Francisco, California 94105 Service via E-Filing Program  
Telephone: 415/974-1900  
Facsimile: 415/974-6433

Carl Lippenberger, Esq. Attorneys for Nominal Defendant  
Lippenberger, Thompson, Welch, Soroko & Gil Karl Johannsmeier  
235 Pine Street, Suite 1300  
San Francisco, California 94104-2733 Service via E-Filing Program  
Telephone: 415/262-1200  
Facsimile: 415/262-1212

Michael Draper  
405 – 12<sup>th</sup> Avenue  
San Francisco, California 94118

Dermaplus, Inc.  
c/o Michael Draper  
405 – 12<sup>th</sup> Avenue  
San Francisco, California 94118

Pacific Capsource, Inc.  
1110 Salem Rose Court  
Las Vegas, NV 89144